UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA SOUTHERN DIVISION

BRIAN NANCE)
Plaintiff,)
v.) JUDGMENT
) No. 7:10-CV-218-FL
MICHAEL J. ASTRUE, Commissioner of Social Security,)
Defendant.)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, Chief United States District Judge, for consideration of the parties' cross-motions for judgment on the pleadings and the memorandum and recommendation entered by the United States Magistrate Judge, to which no objection was filed.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered October 13, 2011 that plaintiff's motion for judgment on the pleadings is granted and defendant's motion for judgment on the pleadings is denied. This matter is remanded to the Commissioner for proceedings consistent with the memorandum and recommendation entered by the United States Magistrate Judge.

This Judgment Filed and Entered on October 17, 2011, and Copies To:

Barbara von Euler (via CM/ECF Notice of Electronic Filing) Eskunder R.T. Boyd (via CM/ECF Notice of Electronic Filing)

October 17, 2011

DENNIS P. IAVARONE, CLERK

/s/ Christa N. Baker

(By) Christa N. Baker, Deputy Clerk